

## **AGENDA ITEM 4D**

**AMENDMENT TO CITY OF LA VISTA ZONING ORDINANCE**

**SECTION 5.08 R-3 D HIGH DENSITY RESIDENTIAL AND**

**SECTION 5.09 r-4 CONDOMINIUM RESIDENTIAL**

**PLANNING COMMISSION MEETING**

**NOVEMBER 18, 2010**

## **Section 5.08 R-3 High Density Residential**

**5.08.01 Intent:** The purpose of this district is to permit high density residential in areas providing all public facilities and supporting facilities to maintain a sound and pleasant environment for the inhabitants.

**5.08.02 Permitted Uses:**

5.08.02.01 Townhouses and Condominiums

5.08.02.02 Public and private schools.

5.08.02.03 Publicly owned and operated facilities.

5.08.02.04 Public Services.

5.08.02.05 *Child Care Home, as per Section 7.10. (Ordinance No. 880, 11-19-02)*

5.08.02.06 Group Care Home (Ordinance No. 1118, 4-6-10)

5.08.02.06.5 08.02.07 Multiple family dwellings constructed prior to November 20, 2001.

**5.08.03 Permitted Conditional Uses:**

5.08.03.01 *Multiple family dwellings constructed after November 20, 2001.*

5.08.03.02 Bed and Breakfast.

1. Guest rooms shall be within the principal residential building only and not within an accessory building.

2. Each room that is designated for guest occupancy must be provided with a smoke detector which is kept in good working order.

5.08.03.03 Public utility substations, distribution centers, regulator stations, pumping stations, storage, equipment buildings, garages, towers, or similar uses.

5.08.03.04 Home Occupations, as per Section 7.10.

5.08.03.05 Child Care Center.

5.08.03.06 Charitable clubs and organizations.

5.08.03.07 *Nursing care and rehabilitation facilities, and assisted living facilities (Ordinance No. 1118, 4-6-10)*

5.08.02.07.5 08.03.08 Congregate housing, senior apartments (age restricted to 55+ years old), or continuing care retirement community. (Ordinance No. 1118, 4-6-10)

**5.08.04 Permitted Accessory Uses:**

5.08.04.01 Buildings and uses customarily incidental to the permitted uses.

5.08.04.02 Decks, elevated patios either attached or detached.

5.08.04.03 Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.

5.08.04.04 Signs as provided for in Section 7.01 through 7.04.

5.08.04.05 Parking as provided for in Section 7.05 through 7.09.

5.08.04.06 Private swimming pool, tennis court, and other recreational facilities in conjunction with a residence.

5.08.04.07 Landscaping as required by Section 7.17.

**5.08.05 Height and Lot Requirements:**

5.08.05.01 The height and minimum lot requirements shall be follows:

Uses	Lot Area (SF)	Lot Width	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Building Coverage
Townhouses/Condominiums <sup>4</sup>	2,500 per unit	25' per unit	30'	10' <sup>5</sup>	30'	35'	40%
Multi-family Dwelling <sup>3</sup>	2,250 per unit	100'	30'	( <sup>1</sup> )	30'	45' <sup>1</sup>	40%
Other Permitted Uses	8,500	75'	30'	10'	30'	35'	30%
Other Conditional Uses	8,500	75'	30'	10'	30'	45'	30%
Accessory Buildings	-	-	50'	5'	5'	17'	10% <sup>2</sup>

<sup>1</sup> For Multi-Family units the side yard shall be 10 feet if it is a 3-story structure, and 5 feet additional side yard on each side shall be provided for each story in excess of 3 stories

<sup>2</sup> Provided total area of accessory structures for single family does not exceed 700 sq ft and the total lot coverage of all buildings and accessory structure does not exceed 50%

- 3 On Corner Lots the following criteria apply to setbacks. In existing developed areas, the Street Side Yard setback may conform to existing setbacks of existing structures along that street. In new developments, the Street Side Yard setback shall be equal to the Front Yard setback.
- 4 This applies to Condominiums and Townhouses where there are three (3) or more units connected and where there is a minimum of two (2) common walls; otherwise the criteria for single-family attached or two-family dwelling shall apply depending upon the appropriate condition.
- 5 Where there are three (3) or more units connected the side yard at the ends shall meet this criteria otherwise the side yard setback shall be zero (0) at common walls.

## **Section 5.09 R-4 Condominium Residential**

**5.09.01 Intent:** The purpose of this district is to permit high density residential, including condominium dwellings, in areas providing all public facilities and supporting facilities to maintain a sound and pleasant environment for the inhabitants.

**5.09.02 Permitted Uses:**

5.09.02.01 Townhouses and Condominium dwellings.

5.09.02.02 Public and private schools.

5.09.02.03 Publicly owned and operated facilities.

5.09.02.04 Child Care Home, as per Section 7.10. (Ordinance No. 880, 11-19-02)

5.09.02.045 5.09.02.05 Multiple family dwellings constructed prior to November 20, 2001.

**5.09.03 Permitted Conditional Uses:**

5.09.03.01 Multiple family dwellings constructed after November 20, 2001.

5.09.03.02 Bed and Breakfast.

1. Guest rooms shall be within the principal residential building only and not within an accessory building.

2. Each room that is designated for guest occupancy must be provided with a smoke detector which is kept in good working order.

5.09.03.03 Churches, temples, seminaries, and convents including residences for teachers and pastors.

5.09.03.04 Public utility substations, distribution centers, regulator stations, pumping stations, storage, equipment buildings, garages, towers, or similar uses.

5.09.03.05 Home Occupations, as per Section 7.10.

5.09.03.06 Child Care Center.

5.09.03.07 Charitable clubs and organizations.

5.09.03.08 *Nursing care and rehabilitation facilities, and assisted living facilities (Ordinance No. 1118, 4-6-10)*

**5.09.04 Permitted Accessory Uses:**

5.09.04.01 Buildings and uses customarily incidental to the permitted uses.

5.09.04.02 Decks, elevated patios either attached or detached.

5.09.04.03 Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.

5.09.04.04 Signs as provided for in Section 7.01 through 7.04.

5.09.04.05 Parking as provided for in Section 7.05 through 7.09.

5.09.04.06 Private swimming pool, tennis court, and other recreational facilities in conjunction with a residence.

5.09.04.07 Landscaping as required by Section 7.17.

**5.09.05 Height and Lot Requirements:**

5.09.05.01 The height and minimum lot requirements shall be follows:

Uses	Lot Area (SF)	Lot Width	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Building Coverage
Townhouses/Condominiums <sup>4</sup>	2,500 per unit	25' per unit	30'	10'	30'	35'	40%

Multi-family Dwelling <sup>3</sup>	2.250 per unit	100'	30'	( <sup>1</sup> )	30'	45' <sup>1</sup>	40%
<i>Other Permitted Uses</i>	8,500	75'	30'	10'	30'	35'	30%
Other Conditional Uses	8,500	75'	30'	10'	30'	45'	30%
Accessory Buildings	-	-	50'	8'	10'	17'	10% <sup>2</sup>

<sup>1</sup> For Multi-Family units the side yard shall be 10 feet if it is a 3-story structure, and 5 feet additional side yard on each side shall be provided for each story in excess of 3 stories

<sup>2</sup> Provided total area of accessory structures for single family does not exceed 700 sq ft and the total lot coverage of all buildings and accessory structure does not exceed 50%

<sup>3</sup> On Corner Lots the following criteria apply to setbacks. In existing developed areas, the Street Side Yard setback may conform to existing setbacks of existing structures along that street. In new developments, the Street Side Yard setback shall be equal to the Front Yard setback

<sup>4</sup> This applies to Condominiums and Townhouses where there are three (3) or more units connected and where there is a minimum of two (2) common walls; otherwise the criteria for single-family attached or two-family dwelling shall apply depending upon the appropriate condition

<sup>5</sup> Where there are three (3) or more units connected the side yard at the ends shall meet these criteria otherwise the side yard setback shall zero (0) at common walls

***(Ordinance No. 881, 11-19-02)***